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The Continental Insurance Company

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION

THE CONTINENTAL INSURANCE
COMPANY,

Plaintiff,

vs.

JOHN JOSEPH COTA; REGAL STONE
LIMITED; FLEET MANAGEMENT LTD.,;
and the M/V COSCO BUSAN, LR/IMO Ship
No. 9231743 her engines, apparel, electronics,
tackle, boats, appurtenances, etc., in rem;

Defendants.

AND RELATED CROSS-ACTIONS

Case No.: C-08-2052-SC

Related to Case No:

07-CV-05926-SC

07-CV-06045-SC

07-CV-05800-SC

08-CV-02268-SC

PROOF OF SERVICE

Hearing Date: September 5, 2008

Time: 10:00 a.m.

Courtroom: 1

PROOF OF SERVICE

I am employed in the City and County of San Francisco by the law firm of Bullivant Houser Bailey PC ("the business"), 601 California Street, Suite 1800, San Francisco, CA 94108. I am over the age of 18 and not a party to this action. On August 15, 2008, I served the document(s) entitled:

1. **THE CONTINENTAL INSURANCE COMPANY'S OPPOSITION TO MOTION TO STAY**
2. **THE CONTINENTAL INSURANCE COMPANY'S NOTICE OF DISMISSAL OF COMPLAINT AS TO DEFENDANT JOHN JOSEPH COTA (ONLY), WITHOUT PREJUDICE**
3. **[PROPOSED] ORDER DENYING IN PART AND GRANTING IN PART DEFENDANT JOHN J. COTA'S MOTION TO STAY AND/OR TO COMPEL ARBITRATION**
4. **PROOF OF SERVICE**

upon the following parties:

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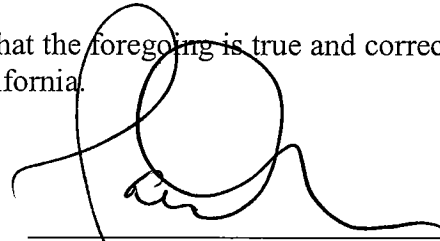
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Fleet Management Limited***

- (X) BY MAIL (CCP § 1013a): I am readily familiar with the ordinary practice of the business with respect to the collection and processing of correspondence for mailing with the United States Postal Service. I placed true and correct copies of the above-titled document(s) in envelopes addressed as above, with first class postage thereon fully prepaid. I sealed the aforesaid envelopes and placed them for collection and mailing by the United States Postal Service in accordance with the ordinary practice of the business. Correspondence so placed is ordinarily deposited by the business with the United States Postal Service on the same day.
- () BY FACSIMILE TRANSMISSION (CRC 2008(e)): I transmitted the documents by facsimile transmission by placing them in a facsimile machine (telephone number 415-352-2701) and transmitting them to the facsimile machine telephone numbers listed above. A transmission report was properly issued by the transmitting facsimile machine. Each transmission was reported as complete and without error. A true and correct copy of the transmission report is attached hereto.
- () BY OVERNIGHT DELIVERY (CCP § 1013(c)): I am readily familiar with the ordinary practice of the business with respect to the collection and processing of correspondence for mailing by Express Mail and other carriers providing for overnight delivery. I placed true and correct copies of the above-titled document(s) in envelopes addressed as above, with first class postage thereon fully prepaid. I sealed the aforesaid envelopes and placed them for collection and mailing by Express Mail or other carrier for overnight delivery in accordance with the ordinary practice of the business. Correspondence so placed is ordinarily deposited by the business with Express Mail or other carrier on the same day.
- () BY PERSONAL SERVICE UPON AN ATTORNEY (CCP § 1011(a)): I placed true and correct copies of the above-titled document(s) in sealed envelopes addressed as indicated above. I delivered each of said envelopes by hand to a receptionist or person having charge of it at the address on the envelope, or, if no person was present, by leaving the envelope in a conspicuous place in the office between the hours of nine in the morning and five in the afternoon.
- () BY PERSONAL SERVICE UPON A PARTY (CCP § 1011(b)): I placed true and correct copies of the above-titled document(s) in sealed envelopes addressed as indicated above. I delivered each of said envelopes by hand to a person of not less than 18 years of age at the address listed on the envelope, between the hours of eight in the morning and six in the evening.

1 I declare under penalty of perjury that the foregoing is true and correct. Executed
2 on August 15, 2008, at San Francisco, California.

A handwritten signature in black ink, appearing to read 'Patricia Larkin', is written over a horizontal line.

4 Patricia Larkin

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